

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

-----X
CONTINENTAL INSURANCE COMPANY,

Plaintiff,

-against-

HUFF ENTERPRISES, INC., HUFF ROOFING,
INC., ROCHDALE VILLAGE, INC., CARLISLE
SYNTEC SYSTEMS, AND COASTAL
ATLANTIC ASSOCIATIONS, INC.,

Defendants.

-----X
NICHOLAS G. GARAUFIS, United States District Judge.

ORDER

07-CV-3821 (NGG) (ALC)

Plaintiff Continental Insurance Company ("Plaintiff") seeks a judicial determination that it has no contractual obligation to provide insurance coverage to Defendants in an action in New York State Supreme Court, Queens County (the "state action"). On March 21, 2008, the court granted Plaintiff default judgment. (Docket Entry # 22.) On November 6, 2009, the court referred the matter to Magistrate Judge Andrew L. Carter, Jr. for a Report and Recommendation ("R&R") on injunctive relief. (Docket Entry # 36.) On June 21, 2010, Judge Carter recommended that the court grant Plaintiff's request for declaratory relief. (Docket Entry # 39.)

No party has objected to Judge Carter's R&R, and the time for doing so has passed. See Fed. R. Civ. P. 72(b)(2). Having reviewed Judge Carter's thoroughly reasoned R&R, the court adopts it in its entirety. See, e.g., Brown v. Ebert, No. 05-CV-5579 (DLC), 2006 U.S. Dist. LEXIS 94265, at *6 (S.D.N.Y. Dec. 29, 2006) (where no party objects to an R&R, review is for "clear error"). The court grants Plaintiff's request for a declaration that it is not contractually

bound to provide Defendants with a defense in the state action. The Clerk of Court is directed to enter judgment accordingly.

SO ORDERED.

Dated: Brooklyn, New York
July 14, 2010

s/Nicholas G. Garaufis

NICHOLAS G. GARAUFIS
United States District Judge